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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Notice of Inquiry regarding) MM Docket No. 95-176
Closed Captioning and Video)
Description of Video Programming)

COMMENTS OF VITAC
A DIVISION OF AMERICAN DATA CAPTIONING, INC.
IN RESPONSE TO COMMENTS OF CBS INC.

In its comments of March 15, 1996, CBS, Inc. referred to the letter of Martin H. Block, Vice President of Educational Products and Services and Chairman of the Board, VITAC, dated March 8, 1996.

For purposes of ensuring the record is complete, Vitac is submitting the full text of the abovementioned letter.

Respectfully submitted,

Martin H. Block
Vice President
Educational Products & Services
VITAC

attachment

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March 8, 1996

Kathryn Edmundson
Director of Captioning
CBS, Inc.
51 West 52nd Street
New York, NY 10019

Dear Ms. Edmundson:

During the past few weeks we have had occasion to discuss the results of research we have undertaken to determine the availability of real-time captioners should there be a sudden increase in demand for same resulting from the recently enacted Telecommunications Act. I would like to put some of my thoughts in writing at this time, hoping that it will assist all interested parties in making decisions regarding expanded local real-time captioning services.

Real-time captioning is a service that has been provided by court reporters since 1981. Because the service for many years was offered exclusively by the three major networks, the caption providers were and continue to be held to extremely high standards for reliability and quality. However, in recent years, there has been a slow, but steady, growth in real-time captioning of news and sports programming on local stations, particularly in the major markets. Unfortunately, the quality of the services provided in such cases has not always been equal to what caption viewers have grown to expect on network television.

As we have learned, quality comes at a price. The networks and the Federal Government have expended substantial sums for broadcast quality captioning services. This has served the caption viewers well, and that audience has grown to expect such a service. However, most affiliates and independent broadcasters cannot afford this level of funding.

Currently, the National Court Reporters Association (NCRA), the only available repository for information that can help us answer questions regarding the court reporting industry, has a total of 83 members who list themselves as real-time captioners. If we assume that there is an additional ten-percent of the members who were not captioners at the time of the last survey and now are, or are members that didn't list themselves as captioners, that would give us an additional eight real-time captioners. To that total of 91 we should add another ten-percent for real-time captioners who might not belong to NCRA, bringing the total to approximately 100 real-time captioners nationally.

At VITAC, we allow a three to six month period to train new real-time captioners, during which time the trainee is paid a salary and participates in our unique rigorous training program. Only when that individual has consistently exhibited the ability to caption at the high level of quality mandated by the networks are they allowed to go on the air. This type of a training program is not an available option to providers of local news and sports captioning services.

There is a substantial demand for court reporters possessing the skills necessary to generate high-quality real-time translation within the legal industry. Court reporting companies offer substantial compensation to skilled real-time reporters. It is from this group of reporters that local captioning services would have to attract real-time captioners at the present time. Most of these individuals would not be willing to surrender their high level of compensation to

undertake local news captioning, where the compensation is comparatively low.

VITAC's Educational Products and Services Division has undertaken two programs that are aimed at increasing the number of real-time reporters (and hopefully real-time captioners.) The first was the a "VITAC Total Access Reporting Training Program," which was developed under a grant from the U.S. Department of Education; and the second was the "VITAC Real-Time Readiness School." Additionally, NCRA has conducted real-time training seminars. These programs have, collectively, reached a sizable number of court reporters over the past several years. While these programs have been helpful in motivating reporters and starting them on the path towards quality real-time translation, attendees still have a long way to go before they can achieve what VITAC and the networks would consider acceptable real-time captioning.

The best hope for the future seems to reside in recent educational mandates approved by the NCRA Board of Directors. These changes in educational policy will lead to higher quality court reporting education, with schools teaching reporting theories that are real-time capable and reporters receiving the broader type of education that is required of a real-time captioner. The process will be an evolutionary one, and the time when we will see real-time reporters and captioners emerging from court reporting programs at our nation's universities and colleges on a large scale may well be as much as a decade away.

It is my opinion that in implementing the mandates of the Telecommunications Act as they affect local news captioning, the Federal Communications Commission must be very careful to do so in a manner that best utilizes the present limited supply of real-time captioners and potential real-time captioners. Obviously, continued emphasis should be placed on providing high-quality real-time captioning to the greatest number of viewers, and that is best achieved through the networks and national cable providers. The next concern must be the provision of equally high quality real-time captioning in perhaps the top 20 to 30 television markets, many of which already have real-time captioning available. That does not mean that every local affiliate and independent in those markets should be expected to immediately provide that service. The shortage of skilled real-time captioners probably makes that impossible. Accommodations must be made until such time as there is the capability to provide high-quality services in those markets.

Ultimately, it would be wonderful if all local news and sports programming could be captioned in real-time, and indeed, that should be our goal. But the process must be evolutionary and must be correlated to the availability of skilled real-time reporters who desire to enter the captioning side of their industry. To do otherwise would result in a plethora of very poor captioning, that will serve no purpose but to lose the confidence of audience and waste valuable resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin H. Block", written in a cursive style.

Martin H. Block
Vice President
Educational Products and Services